



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 01.03.2022

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P (MD).No. 3759 of 2022

T.Jaminthar

.... Petitioner

Vs.

1. The Superintendent of Police
Tenkasi District

2. The Inspector of Police,
Chinnkovilankulam Police Station
Tenkasi District

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus ,directing the 2nd respondent to grant permission to conduct cultural Programme with audio systems on the Mahashivarathiri Festival scheduled on 02.03.2022 from 9 PM to 2 AM in Vaippar Udaiyar Swamy Thirukovil situated in Sillikulam, Periyakovilankulam Village, Tenkasi District as stated in the petitioner`s representation dated 23.02.2022

For Petitioner : Mr.R.J.Karthick

For Respondents: Mr.B.Thanga Aravindh

No.1 & 2

Government Advocate (Cr1.Side)

O R D E R

The prayer in this writ petition is to direct the 2nd respondent to grant permission to conduct cultural Programme with audio systems on the Mahashivarathiri Festival scheduled on 02.03.2022 from 9 PM to 2 AM in Vaippar Udaiyar Swamy Thirukovil situated in Sillikulam, Periyakovilankulam Village, Tenkasi District as stated in the petitioner`s representation dated 23.02.2022

2.Heard the learned counsel for the petitioner as well as the learned Government Advocate(Cr1.Side)appearing on behalf of the respondents.

3.In an identical matter, a Division Bench of this Court in an order passed in **W.P. (MD) No.8975 of 2017 dated 10.05.2017 [M.Sakthi Vs. State rep. by the Inspector of Police, Odapatti Police Station, Odapatti, Theni District]**, had granted permission to the petitioner to conduct cultural programme on certain conditions. The



said conditions read as follows:

"a) The event shall be conducted in an organised and peaceful manner without causing law and order problem.

b) There shall not be any obscene or vulgar scenes during the dance performance by any one of the participants or others.

c) The cultural Program shall be restricted between 6.00 pm., and 11.00 p.m.

d) If there is any violation of the above said conditions, the respondent or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

e) In case if there is any discrepancy with regard to the date on which the program is to be conducted, it would be open to the respondent police to extend protection on some other day after giving due notice to the petitioner

f) The restrictions have now been lifted and permitted to gather not more than 50 persons for the festival function.

4. This Court is of the view that similar conditions may also be imposed in the present writ petition. Consequently, the Writ Petition Stands allowed. The second respondent is directed to strictly adhere to the Standard Operating Procedure adopted by the Government of Tamil Nadu and grant permission to the writ petitioner to conduct the cultural program on 02.03.2022 between 6.00 p.m., to 11.00 p.m., at Vaippar Udaiyar Swamy Thirukovil situated in Sillikulam, Periyakovilankulam Village, Tenkasi District subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-)

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Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Tenkasi District
2. The Inspector of Police,
Chinnkovilankulam Police Station
Tenkasi District



3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-9289[F] dated 01/03/2022)

W.P (MD).No.3759 of 2022
01.03.2022

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